

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TYLER GARDNER *et al.*,

Case No. 2:21-cv-01256-SB

Plaintiffs,

v.

**NOTICE OF LAWSUIT AND REQUEST  
FOR WAIVER OF SERVICE**

KATE BROWN *et al.*,

Defendants.

---

**TO: SHANNON VINCENT  
ASSISTANT ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE  
1162 COURT STREET NE  
SALEM, OREGON 97301-4096**

Plaintiff, an individual in custody at the time of filing, proceeding *pro se* and *in forma pauperis*, has commenced a lawsuit against the following individuals whom the Court believes you represent: Kate Brown and Colette Peters. A copy of the Complaint is attached to this Notice. This Court concludes that Plaintiff has a reasonable opportunity to prevail on one or more claims and Defendants must therefore file an Answer or other responsive pleading. *See* 42 U.S.C. § 1997e(g)(2).

This is not a formal summons. It is a request that, to avoid expenses, you waive service of a summons on behalf of Defendants by signing and returning the attached Waiver. To avoid these expenses, you must return the signed Waiver within thirty days from the date shown below.

If Defendants waive service, this action will proceed as if Defendants were served on the date the Waiver is filed, but no summons will be served on Defendants. Because the Court seeks to expedite the resolution of prisoner cases, execution of a waiver form does *not* increase the

time in which Defendants must file an answer or responsive pleading. *See* Fed. R. Civ. P. 12(a)(1)(A).

If you do not wish to waive service on behalf of any or all of the Defendants, please indicate this on the waiver form. The Court will, in turn, order the U.S. Marshals Service to serve the Complaint on the appropriate Defendants.

**IT IS SO ORDERED.**

DATED this 23rd day of September, 2021.



---

HON. STACIE F. BECKERMAN  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

TYLER GARDNER *et al.*,

Case No. 2:21-cv-01256-SB

Plaintiff,

v.

KATE BROWN *et al.*,

Defendants.

---

**WAIVER OF SERVICE FORM**

TO: The U.S. District Court for the District of Oregon

I have received the Court's request to waive service of a summons in this action along with a copy of the Complaint. I agree to save the cost of serving a summons and complaint in this case on behalf of the following Defendants:

\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;

Defendants shall retain all defenses or objections to the lawsuit, the Court's jurisdiction, and the action, but Defendants waive any objection to the absence of a summons or of service.

The above-named Defendants must file and serve an answer or a motion under Rule 12 within the time limitations set forth in Fed. R. Civ. P. 12(a)(1)(A). I understand that because the Court seeks to expedite the resolution of prisoner cases, execution of a waiver form does *not* increase the time in which to file an answer or responsive pleading.

I decline to waive service on behalf of the following Defendants:

\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;  
\_\_\_\_\_; \_\_\_\_\_;

\_\_\_\_\_  
DATE

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name